

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ALLAN JAHN,

Petitioner,

v.

Case No. 11-12091

DEBRA SCUTT,

Respondent.

ORDER GRANTING “PETITIONER’S MOTION TO AMEND THE PLEADINGS”

Petitioner Allan Jahn filed a pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is Petitioner’s motion to amend the pleadings. For the reasons that follow, the court will grant the motion.

Petitioner requests that the court permit him to amend his petition to add a statement of facts in support of his habeas claim. Although Respondent has already filed a response, Federal Rule of Civil Procedure 15 provides that the court should freely allow a party to amend when justice so requires. Fed. R. Civ. P. 15(a)(2). Here, Respondent has already addressed the argument raised in Petitioner’s amended brief in her response. The court concludes that Respondent will not be prejudiced by allowing Petitioner to amend his brief. Accordingly,

IT IS ORDERED that Petitioner’s motion to amend the pleadings [Dkt. # 12] is GRANTED.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 19, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 19, 2012, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522